



PUBLIC MEETING

August 11, 2020
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, August 11, 2020, at 9:00 AM in Commission Chambers Room 330.

Roll Call

Chair Susan Good Geise called the meeting to order at 9 a.m.

Commissioner Andy Hunthausen and Commissioner Jim McCormick were present. Others attending all or a portion of the meeting included Kari DesRosier, Nicho Hash, Peter Italiano, Jessica Makus, Lindsay Morgan, David Brandon, Kevin Wright, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

a. Equitable Sharing Agreement and Certification. (Tammy Potter)

Kari DesRosier, Human Resources Director reported on consent action item 2 a and recommended approval.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

Agreement Between Lewis and Clark County and the East Helena School District. (Kevin Wright)

Kevin Wright, Sheriff's Office Patrol Captain, presented the agreement with East Helena School District for the purpose of a school resource officer (SRO) to work within the school district. The District agrees to cover 50% of the cost of the SRO program to the Sheriff's Office, not to exceed \$25,000 per year. The District will pay up to an additional \$1,000 for SRO related training. The agreement begins August 20, 2020 through June 20, 2023. The Commission previously approved the COPS grant and those funds will cover the other half of the program. Staff recommends approval of the agreement with the East Helena School District. Captain Wright introduced Corporal Jeff Stultz, the new SRO. The Sheriff's Office as well as members of the School District interviewed Corporal Stultz.

Corporal Stultz gave a brief overview of his reasons for wanting to become a SRO. He added he has received SRO training and noted the triad for a SRO includes the roles of being a guest speaker, an informal mentor, and a law enforcement officer in partnership with the school and administration.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

Resolution 2020-53 To Levy and Assess a Tax Upon Benefited Property within the Ten Mile Creek Estates Rural Improvement District No. 1992-2. (Jessica Makus)

Jessica Makus, Special Districts Program Coordinator, presented the resolution to levy and assess a special assessment upon benefited properties within the Ten Mile Creek Estates Rural Improvement District (RID) for maintenance of the road network and other items. The RID was amended on July 21, 2020 following a citizen led petition to initiate an increased assessment. Legal notice of the public hearing was published on July 26, August 2, 2020, mailed to all property owners within the RID and as of August 11, 2020, no written testimony had been received. Staff recommends approval of the resolution.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

Resolution 2020-54 To Levy and Assess a Tax Upon Benefited Property within the Canyon Ridge Rural Improvement District No. 2015-11. (Jessica Makus)

Jessica Makus, Special Districts Program Coordinator, presented the resolution to levy and assess a special assessment upon benefited properties within the Canyon Ridge Rural Improvement District (RID) for maintenance of the road network and other items. The resolution will add Phase II and Phase III to the assessment. Legal notice of the public hearing was published on July 26, August 2, 2020, mailed to all property owners within the RID and as of August 11, 2020, no written testimony had been received. Staff recommends approval of the resolution.

No public comment was received.

A motion to Approve was made by Commissioner McCormick and seconded by Commissioner Hunthausen. The motion Passed on a 3-0 vote.

Resolution 2020-55 to Levy and Assess the Red Fox Meadows Road Rural Improvement District. (Petitioner: Hamlin Construction and Development Co, Inc.) (Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner III, presented the resolution to levy and assess an annual special assessment of \$239.36 upon benefited properties within the Red Fox Meadows Road Rural Improvement District (RID). It will provide for maintenance of roads located within the Red Fox Meadows Subdivision, located east of, adjacent to Lake Helena Drive and south of and adjacent to Canyon Ferry Road. On October 31, 2019, Resolution 2019-100 was approved by the Commission to create the RID. The maintenance includes, but is not limited to, all internal access roads, snow plowing, weed control within the roads right-of-way, street signage maintenance, culvert cleaning (excluding private driveways), street sweeping, storm drainage maintenance within the rights-of-way, mailbox operations and maintenance, crack sealing, and future chip-sealing. The total maintenance costs are \$30,398.28, divided amongst all benefiting properties. Staff recommends approval of the resolution.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

Resolution 2020-56 to Levy and Assess the Red Fox Meadows Stormwater Rural Improvement District. (Petitioner: Hamlin Construction and Development Co, Inc.) (Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner III, presented the resolution to levy and assess an annual special assessment of \$23.98 upon benefited properties within the Red Fox Meadows Stormwater Rural Improvement District (RID). It will provide for maintenance of stormwater improvements located within the Red Fox Meadows Subdivision, located east of and adjacent to Lake Helena Drive and south of and adjacent to Canyon Ferry Road. Resolution 2019-101 to create the RID was approved by the Commission on October 31, 2019. The maintenance includes, but is not limited to, the stormwater ponds and drainage ditches. The total maintenance costs are \$3,045, divided amongst all benefiting properties. Staff recommends approval of the resolution.

Ms. Morgan explained if something were related to the bridges, it would fall under the road RID.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

Resolution 2020-57 to Levy and Assess the Red Fox Meadows Trails Rural Improvement District. (Petitioner: Hamlin Construction and Development Co, Inc.) (Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner III, presented the resolution to levy and assess an annual special assessment of \$31.89 upon benefited properties within the Red Fox Meadows Trails Rural Improvement District (RID). It will provide for maintenance of trail and fencing improvements along the canal located within the Red Fox Meadows Subdivision, located east of and adjacent to Lake Helena Drive and south of and adjacent to Canyon Ferry Road. Resolution 2019-102 to create the RID was approved by the Commission on October 31, 2019. The total maintenance costs are \$4,049.40, divided amongst all benefiting properties. Staff recommends approval of the resolution.

Ms. Morgan explained the trail is not immediately adjacent to the canal, but is close. There is no ditch at the, there is fencing along the canal.

No public comment was received.

A motion to Approve was made by Commissioner McCormick and seconded by Commissioner Hunthausen. The motion Passed on a 3-0 vote.

Resolution 2020-58 to Levy and Assess the Red Fox Meadows Fire System Rural Improvement District (Petitioner: Hamlin Construction and Development Co, Inc. and Hamlin Family Revocable Living Trust) (Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner III, presented the resolution to levy and assess an annual special assessment of \$72.60 upon benefited properties within the Red Fox Meadows Fire System Rural Improvement District (RID) for the Red Fox Meadows Subdivision's fire protection system. The RID is located east of, adjacent to Lake Helena Drive and south of and adjacent to Canyon Ferry Road. Resolution 2019-103 to create the RID was approved by the Commission on October 31, 2019. The general character of the assessment includes, but not limited to, costs associated with the maintenance of the fire protection system improvements, contractual payments for the use of the water for the system, and money set aside to be used toward an electrical power demand charge when the system is turned on. The total annual maintenance costs are \$9,292.50, divided amongst all benefiting properties. Staff recommends approval of the resolution.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

Resolution 2020-59 to Levy and Assess the Flood Control Detention Pond Rural Improvement District. (Petitioners: Hamlin Construction and Development Co, Inc. and Hamlin Family Revocable Living Trust) (Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner III, presented the resolution to levy and assess an annual special assessment of \$24.61 upon benefited properties within the Flood Control Detention Pond Rural Improvement District (RID) for maintenance of the flood control detention pond located south of the Red Fox Meadows Subdivision. Resolution 2019-104 to create the RID was approved by the Commission on October 31, 2019. The pond and its associated maintenance were a requirement of a floodplain development permit. Staff recommends approval of the resolution.

Ms. Morgan explained the RID is specific to the flood control detention pond only.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above.

David Brandon, 6705 Applegate, stated his opinion regarding Part 2 Zoning. He attended the last Planning Board meeting and there were two notable questions that were never answered. One being the percentage of public support for the zoning, it was almost 100% in opposition, and it still passed. He can support zoning, but not the way it is written. A 10-acre minimum does not have anything to do with usage, which is what zoning is supposed to address. The 10 acres is a restriction on the subdivision process, which is already burdensome. The problem is the 10 acres could be anything such as a gravel pit, commercial property, housing development. He added no one that he has spoken with supports the 10-acre minimum and it should be removed.

Adjourn

There being no further business, the meeting adjourned at 9:40 am.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Susan Good Geise, Chair


Andy Hunthausen, Vice Chair


Jim McCormick, Member

ATTEST:


Amy Reeves, Clerk of the Board